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OFFICE OF PETITIONS

MARTIN D. MOYNIHAN d/b/a PRTSI, INC.
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In re Application of :
Baussi, et al. : DECISION ON PETITION
Application No. 10/516,926 :
Filed: July 14, 2005 :
Docket No.: 37160 :

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed April 7, 2009.

The Notice of Abandonment mailed April 1, 2009 indicates that the application is abandoned for failure to timely submit a proper reply to the non-final Office action mailed April 8, 2008.

Petitioner asserts that a Notice of Appeal and extension of time were timely filed October 7, 2008.

The Notice of Appeal and extension of time, filed October 7, 2008, have been located in the official application file.

In view of the evidence presented, the petition to withdraw the holding of abandonment is hereby GRANTED.

The Notice of Abandonment is hereby VACATED and the holding of abandonment is WITHDRAWN.

The appeal brief is due two month from the mail date of the instant decision on petition.

The application file is being forwarded to Technology Center 2617 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

/ALESIA M. BROWN/

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